

REMARKS

Upon entry of the amendment, claims 13-15 and 17-41 will be all the claims pending in the application. Claims 13 and 33 have been amended for purposes of further clarity. Claim 37 has been amended to insert "claim". In addition, new claim 41 has been added in view of the amendments to claims 13 and 33.

Since the amendments reduce issues for appeal and/or place the application in condition for allowance, entry is respectfully requested.

I. Response to Rejection of Claims 13 and 31-40 under 35 U.S.C. § 112, 1st paragraph

Claims 13 and 31-40 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly being non-enabling.

Applicants respectfully traverse and submit that the specification does enable one of skill in the art to make and/or use the claimed invention.

Nonetheless, without acquiescing the merits of the rejection, claim 13 has been amended to recite positive process steps for the preparation of the nutrient medium. It is submitted that claim 13 recites that distinct organisms are grown in the step of preparing the autolysate, the lipids and the amino acid hydrolysate.

In view of the above, it is requested that the rejection be withdrawn.

II. Response to Rejection of Claims 33-38 under 35 U.S.C. § 112, 2nd paragraph

Claims 33-38 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

Without acquiescing the merits of the rejection, claim 33 has been amended and new claim 41 has been added for purposes of further clarity. It is submitted that the relationship between claim 33 has been further clarified.

Accordingly, it is requested that the rejection be withdrawn.

III. Response to Claim Rejections

Claims 13, 31, 32 and 40 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Hansen et al.

Claims 14-15 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hansen et al. in view of Agre et al.

Claims 33-39 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hansen et al. in view of Heifetz et al. and Reckel et al.

Applicants respectfully traverse the rejections.

Claim 13 recites a method for producing a biomolecule, whereby about 95% or more of the atoms in the biomolecule, for at least one of H, C or N, are isotopically labelled, the method comprising the steps of: (a) growing an organism on a mineral medium which supports growth of the organism, whereby in the medium about 95% or more of the assimilable atoms, for at least one of H, C or N are isotopically labelled, to produce labelled biomass; (b) autolysing the biomass of the organism grown as in (a) to produce an autolysate; (c) composing the nutrient medium by combining the autolysate as obtained in (b) with further components necessary for growth of the mammalian or insect cells; (d) growing a culture of mammalian or insect cells producing the biomolecule under conditions conducive to the production of the biomolecule, in the nutrient medium; and (e) recovery of the biomolecule, whereby the biomolecule is a mammalian polypeptide produced as a result of genetic engineering of the mammalian or insect cells.

It is submitted that Hansen does not disclose incorporation of autolysates in nutrient media of mammalian or insect cells. Hence, it is submitted that Hansen fails to anticipate claim 13.

In addition, it is submitted that none of the other cited art makes up for the deficiencies of Hansen. Thus, it is submitted that claims 14-15 and 31-41 are patentable by virtue of their dependency from claim 13 for at least the same reasons as claim 13.

In view of the above, withdrawal of the rejections is respectfully requested.

IV. Conclusion

Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: November 30, 2010